

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of

Steven M. LLOYD et al.

Serial No.: 09/500,460

Filed: February 9, 2000

Group Art Unit: 1713

Examiner: P. Mulcahy

#12

For: SYSTEM FOR THE CONTAINED TRANSFER OF PARTICULATES

PETITION UNDER MPEP 710.06

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20036

RECEIVED
FEB 25 2002
TC 1700

Dear Sir:

The applicants respectfully petition to restart the previously set period for reply to the Office Action dated December 13, 2002, to run from the date of receipt, February 20, 2002, of the Office Action at the correspondence address.

The requirements of MPEP 710.06 are met as follows. The Office Action was received on February 20, 2002. The response period is in less than one month. Attached hereto is a copy of the first page of the Office Action showing a receipt date from the United States Patent and Trademark Office of February 20, 2002.

The evidence presented herein establishes the date of receipt of the Office Action at the correspondence address of record because it is the practice of the undersigned's law firm to date stamp the first page of PTO communications on the day they are received. Attached is a copy of a letter recently mailed to the undersigned by the Commissioner of Patents noting difficulties relating to delayed deliveries of mail since mid-October 2001.

Accordingly, restarting of the previously set period for replay to the Office Action dated December 13, 2001, to run from the date of receipt, February 20, 2002, of the Office Action at the correspondence address is respectfully requested.

Respectfully submitted,



Thomas P. Pavelko

Registration No. 31,689

TPP/mat

Attorney Docket No.: TPP 30555A

STEVENS, DAVIS, MILLER & MOSHER, L.L.P.

1615 L Street, N.W., Suite 850

Washington, D.C. 20036

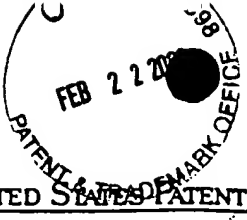
Telephone: (202) 785-0100

Facsimile: (202) 408-5200 or (202) 408-5088

Date: Feb 22, 2002

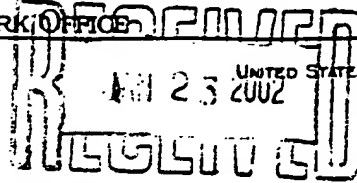
THE APPLICANT HEREWITH PETITIONS
THE PTO TO EXTEND THE TIME FOR
RESPONSE AS REQUIRED TO MAKE THE
ATTACHED DOCUMENT TIMELY FILED.
PLEASE CHARGE THE COST THEREOF
TO DEPOSIT ACCOUNT 19-4375

STEVEN DAVIS MILLER & MOSHER, L.L.P.



UNITED STATES PATENT AND TRADEMARK OFFICE

STEVENS, DAVIS,
MILLER MOSHER



COMMISSIONER FOR PATENTS
PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

RECEIPT ACKNOWLEDGED

Dear Patent Practitioner,

The USPTO and the patent community have experienced considerable difficulties since mid-October 2001 due to delays in the delivery of mail by the US Postal Service. I want to assure you that the USPTO is making every effort to deal with this situation in ways that avoid any undue burden upon applicants. Over the last few weeks we have seen an increase in the volume of backlogged mail being delivered and we are working very hard to process this mail as quickly as possible. I ask that you bear with us during this challenge and work with us to the extent possible to minimize the impact of these mail delays.

Unfortunately the decontamination process has damaged some of the mail recently delivered to the USPTO. For example, some patent application papers and drawings including photographs have been stuck together and cannot be separated. Some computer discs have been damaged. Some labels have been blackened so that the text on them cannot be read and some papers have been yellowed and are brittle. The amount of damaged mail is small, about 5%, and the senders are being contacted to supply a duplicate when necessary. Additionally, no application is being held abandoned without us first calling the applicant to ensure that a reply has not been delayed in the mail.

I also understand that there has also been some concern from practitioners that outgoing mail from the Office may have been delayed in some instances. Currently, the USPTO is requesting that applicants follow the procedure set forth in Manual of Patent Examining Procedure (MPEP) 710.06 to establish a delay in receipt of mail if they want to request that the period for reply be reset.

Please consult the USPTO Internet web site (<http://www.uspto.gov>) for updated information on Technology Center facsimile numbers, surface mail alternatives, and other announcements concerning mail delays. Some notices related to the mail delays that have been recently posted on the USPTO web site are listed on the attached table. Section 511 of the MPEP will be revised to state that in the event of a postal emergency an announcement will be placed on the USPTO web site. Note also that the entry of a paper into an application file can be confirmed by checking the PAIR system via our Electronic Business Center on our web site.

Questions related to mail difficulties should be directed to the Office of Patent Legal Administration, by telephone at (703) 308-6906. Alternatively, the questions may be sent via e-mail to PatentPractice@uspto.gov.

Thank you for your continued cooperation as we deal with this difficult situation.

1/16/02
Date

Nicholas P. Godici
NICHOLAS P. GODICI
Commissioner for Patents

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Enclosure: Table of Recent Notices

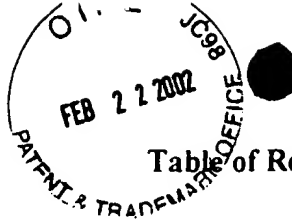


Table of Recent Notices on the USPTO Internet Web Site

<u>TITLE</u>	<u>Date</u>	<u>OG CITE</u>	<u>OG DATE</u>
Processing of, and Requirements for, the Filing of Duplicate Applications and Papers in Patent Applications in view of USPS Mail Delays	12/20/01	1254 OG 92	1/15/02
Closing of the United States Patent and Trademark Office on Monday, December 24, 2001	12/13/01	1254 OG 61	1/8/02
Notice Concerning Deposit Account Replenishments	12/11/01		
Termination of the Suspension of the "Express Mail" Service of USPS for mail addressed to ZIP Codes 202xx through 205xx	12/5/01	1254 OG 33	1/1/02
Suspension of the "Express Mail" Service of United States Postal Service for mail addressed to ZIP codes 202xx though 205xx	11/20/01	1254 OG 33	1/1/02
Suspension of the "Express Mail" Service of United States Postal Service	11/20/01	1253 OG 103	12/25/01
Mitigation of Delays in Mail Deliveries to the USPTO	11/9/01		
USPTO Tests Negative for Anthrax	11/5/01		
Patent Customers Advised to FAX Communications to USPTO	11/2/01		
United States Postal Service Interruptions and Emergency Terminated	10/26/01	1252 OG 104	11/20/01
Notice Concerning Safety of USPTO Mailings - Update	10/25/01		
Notice Concerning Safety of USPTO Mailings	10/23/01	1252 OG 19	11/6/01

Note: Where an Official Gazette cite or Official Gazette date field is blank in the table above, the notice has not yet been published in the Official Gazette.

The above list was excerpted from the list of patent-related notices that is posted on the USPTO Internet web site at: <http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>.

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